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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003080

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [IZ](#) [TIP](#) [NEA](#) [RA](#)
SUBJECT: EMBASSY BAGHDAD 2009 TIP INTERIM ASSESSMENT

REF: A. BAGHDAD 2403
[1](#)B. BAGHDAD 2886

Classified By: Political Counselor Yuri Kim for reason 1.4 (b) and (d).

[1](#)1. (SBU) SUMMARY: Human trafficking for the purposes of labor and sexual exploitation continues to be a problem in Iraq according to senior GOI and judicial officials. While the GOI has drafted legislation to prosecute and punish those who engage in trafficking, the draft law remains stalled in the Shura Council. The GOI has made some progress in increasing public awareness about trafficking, but complex challenges persist with regard to training Iraqi police and security forces and developing a system for collecting and disseminating intelligence about trafficking. END SUMMARY.

GOI EFFORTS TO PASS ANTI-TRAFFICKING LEGISLATION

[1](#)2. (C) In January 2009, an interministerial committee comprised of members from the Ministry of Human Rights, the Ministry of Foreign Affairs, and the Ministry of Labor and Social Affairs spearheaded the development of anti-trafficking legislation that would establish criminal penalties for human trafficking. The draft legislation, which would also mandate the formation of a permanent interagency anti-trafficking committee in Baghdad, is under review by a special committee within the Shura Council. (Note: The Shura Council, which operates under the Ministry of Justice, reviews draft legislation originating from the Council of Ministers to ensure compliance with the Iraqi constitution. End Note.) Until the Shura Council clears the draft and forwards it to the Council of Representatives (COR) for approval, the interim committee will continue to serve as a coordinating body on human trafficking issues with no special authority to implement its recommendations. A copy of the draft legislation states that the law imposes fines exceeding 25 million dinars (USD 21,000) and life imprisonment on traffickers if their victim "is under 15, or a female, or has special needs". The law allegedly imposes the same punishment for cases in which the trafficker is a relative of the victim's caretaker or spouse, or if the crime was committed by force.

[1](#)3. (C) GOI decisions regarding the development of Iraq's anti-trafficking strategy are decentralized and shared between several ministries, with no single organization bearing responsibility for tracking progress on the issue. Shatha al-Obosi, a member of the GOI's Human Rights Committee, related to Poloff on November 9 that political roadblocks to addressing trafficking in the COR persist because of resistance among some COR members, "to address the fact that trafficking is a problem in Iraq, or that it has a human rights and women's rights component." Al-Obosi stated that while she and other GOI members hear periodic reports of domestic and cross-border trafficking for the purposes of labor and sexual exploitation, these reports remain largely unverified and uninvestigated due to a lack of evidence and because the GOI's information on trafficking is only accessible to a few authorized officials.

LACK OF CAPACITY TO SUPPORT TRAFFICKING VICTIMS

14. (C) GOI efforts in August 2009 led to the successful repatriation of 14 women to Uganda after they were apparently trafficked into Iraq for the purposes of labor exploitation (ref A). The GOI initiated both a criminal and a human rights investigation that resulted in the issuance of two arrest warrants. While the case provided the GOI an opportunity to demonstrate its commitment to addressing trafficking, it also revealed a lack of capacity to provide temporary shelter to trafficking victims. Notwithstanding the difficulties of preventing trafficking through Iraq's long land borders, the GOI has made limited progress in screening migrant workers to identify possible trafficking victims. According to Judge Hadeel Najim Abdullah of the Baghdad Courthouse, some female foreign workers who are promised legitimate work elsewhere in the Middle East, are instead brought to Baghdad to be placed in the sex trade and/or serve as laborers (ref B). Hadeel further claimed that some Iraqi employers contract with traffickers for business and residential workers, and that female foreign workers are often victims of sexual assault by their employers. He also noted that abuses of foreign workers who are trafficked into Iraq under false pretenses are often not pursued by the police and/or courts.

15. (C) A foreign woman may be detained until her country of origin assists her to obtain a new passport to return home. The GOI has made little progress in regulating recruitment practices and fees of foreign labor brokers to prevent

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practices that facilitate forced labor. Embassy Baghdad's POL and ECON sections are working to obtain more information in this area and will report any new developments as information becomes available.

16. (C) Currently, the GOI does not have a formal mechanism for intervening in cases in which migrant workers learn upon arrival in Iraq that the jobs they were promised do not exist. As with its treatment of internally displaced families and communities, the GOI continues to rely heavily on support provided by non-governmental institutions and civil society. The difficulties of combating trafficking are compounded by a lack of data on the scale and severity of Iraq's trafficking problem. As reported ref B, Ministry of Human Rights Director General mentioned in an October 14 meeting that the Ministry intends to create a database of trafficking information to help target its anti-trafficking efforts. The Ministry of Human Rights, working in tandem with the Ministry of Youth and Sports, has initiated a public awareness campaign aimed at educating children at schools and youth centers across the country about trafficking, but the GOI has yet to create an effective mechanism to disseminate awareness information to those who are in the best position to identify and curb trafficking. In a November 2 meeting with the leaders of seven human rights NGOs from all over Iraq, Taha Abdl Ghnei, Manager of the Anbar-based Al-Safa Society for Development and Friendship, observed that Iraqi police and security forces are not trained to notice subtle indications of abuse or fraud commonly seen among trafficking victims.

17. (C) COMMENT: Even with the GOI passage of anti-trafficking legislation, Iraq will continue to face several challenges in effectively responding to and preventing instances of human trafficking. Embassy Baghdad's Rule of Law office is making a concerted effort to encourage the Ministry of Interior and the Higher Judicial Council to address trafficking in Iraq and will work with them to provide training and education. Additionally, the Embassy's International Narcotics and Law Enforcement office plans to incorporate anti-trafficking components into future programs.

END COMMENT
HILL